

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)



OCT 11 2017

## UNITED STATES DISTRICT COURT

David J. Bradley, Clerk of Court

for the

District of \_\_\_\_\_

Division \_\_\_\_\_

Case No. \_\_\_\_\_

(to be filled in by the Clerk's Office)

RAAMOND ANDRE DOWDELL

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Robert Johnson

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

## COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

## NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

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**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

All other names by which  
you have been known:

ID Number

Current Institution

Address

RAYMOND ANDRE DOWDELL

RAYMOND ANDRE DOWDELL

00140773

HARRIS County Jail

1200 BAKER ST. 6th

Houston

TX

77002

City

State

Zip Code

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

**Defendant No. 1**

Name

Job or Title (*if known*)

Shield Number

Employer

Address

Robert Johnson

JUDGE / Ex Atty

HARRIS County

Houston

TX

77002

City

State

Zip Code

☒ Individual capacity

☒ Official capacity
**Defendant No. 2**

Name

Job or Title (*if known*)

Shield Number

Employer

Address

City

State

Zip Code

☐ Individual capacity

☐ Official capacity

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

## Defendant No. 3

Name \_\_\_\_\_

Job or Title (if known) \_\_\_\_\_

Shield Number \_\_\_\_\_

Employer \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

☐

Individual capacity

☐

Official capacity

## Defendant No. 4

Name \_\_\_\_\_

Job or Title (if known) \_\_\_\_\_

Shield Number \_\_\_\_\_

Employer \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

☐

Individual capacity

☐

Official capacity

**II. Basis for Jurisdiction**

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐Federal officials (a *Bivens* claim)☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

WRONGFUL Conviction

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

### III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☒ Other (explain) CONVICTED + SENTENCED TO ADJUDICATED PROBATION

### IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

Court 177 09-25-17

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

DURING COURT PROCEEDINGS I ASKED my Atty WAS IT A conflict of interest for JUDGE Robert Johnson to rule on my PROBATION CASE Even though I filed AGRIEVANCE on him with the STATE BAR.

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

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C. What date and approximate time did the events giving rise to your claim(s) occur?

09-25-17 approx. 2:15 pm

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

An Atty of whom I didnt sign to represent Me. (SEE ATTACHES)

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

N/A

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

OVERTURN MY ENTIRE CASE, \$1.5 million for damages AND LOST WAGES. REASON FOR THESE CLAIMS: VIOLATIONS OF MY RIGHTS AS A U.S. CITIZEN

**VII. Exhaustion of Administrative Remedies Administrative Procedures**

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

- A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☐ Yes

☒ No *OUT ON BOND.*

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

- 
- B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

- C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☐ Yes

☒ No

☐ Do not know

If yes, which claim(s)?

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☐ Yes

☒ No N/A

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No N/A

- E. If you did file a grievance:

1. Where did you file the grievance?

With The STATE BAR ASSOCIATION

2. What did you claim in your grievance?

INEFFECTUAL COUNSEL.

3. What was the result, if any?

Told to go to ARBITRATION

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

SENT A LETTER TO STATE BAR SEEKING WHERE TO FILE  
FOR ARBITRATION FOR THE SECOND TIME WHEN I didnt  
RECEIVE AN ANSWER

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

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F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

N/A

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2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

I INFORMED THE ATTY ON MY CASE AND THE COURT PROBATION OFFICIAL,  
SIGNED UNDER DURESS.

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

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*(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)*

### VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

N/A

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Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

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- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

2. Court *(if federal court, name the district; if state court, name the county and State)*

\_\_\_\_\_

3. Docket or index number

\_\_\_\_\_

4. Name of Judge assigned to your case

\_\_\_\_\_

5. Approximate date of filing lawsuit

\_\_\_\_\_

6. Is the case still pending?

☒ Yes

☐ No

If no, give the approximate date of disposition. \_\_\_\_\_

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

STILL PENDING

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

☐ Yes

☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s)

Defendant(s)

N/A

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☒ Yes

☐ No

If no, give the approximate date of disposition

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

STILL PENDING-

**IX. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

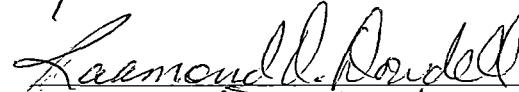
**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

10/6/17

Signature of Plaintiff



Printed Name of Plaintiff

RAYMOND D. DOWDELL

Prison Identification #

01141773

Prison Address

1200 BAKER ST 6H2

Houston

City

TX

State

77002

Zip Code

**B. For Attorneys**

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

### Objection to Wrongful Conviction.

- 1) Objection, There is a conflict of interest, I have an open case against the Judge / Ex Lawyer with the State Bar of Texas..
- 2) Objection, Because of the Conflict of Interest, the Judge / Ex-Lawyer has no right to rule or judge in or on my case...
- 3) Objection, My right as a U.S. Citizen were violated, because I was judged un-justly in the Harris County Criminal Courts System.
- 4) Objection, Record should have revealed that the conflict of interest would prevent fairness, mercy, or even facts or mistakes to be effective in the ruling or judging...

### Opening Argument.

Judge Robert Johnson was once an Attorney of Law, that I paid to represent me. After receiving \$6,000 dollars, Attorney Robert Johnson failed to defend me to the best of his ability. Attorney Robert Johnson also failed to tell me about the plea deal, the District Attorney offered, 2 years T.D.C.J. And insisted that I sign for 5 years T.D.C.J. After all of the ineffectual counsel, Judge Brock Thomas, granted me permission to fire Lawyer Robert Johnson, and seek a new defense. Therefore, I wrote the State Bar of Texas, and filed a complaint against Lawyer Robert Johnson. The case is still open at this very moment. The records will show that Judge Robert Johnson had no just cause sitting in or judging on my case.

Respectfully,  
*Leonard O. Dowdell*

To: Whom it may concern

Exhibit(1) and Exhibit(2), is the evidence that is very helpful in the conflict of interest complaint, and Wrong Conviction against, Judge / Ex Lawyer Robert Johnson. Having an open case against Judge / Ex Lawyer Robert Johnson, should have prevented any judgement or ruling in my case. This conflict of interest, has prevented me, from continuing on with my life, and trying to get my family back. Things were added to the paper work, terms were violated that were already discussed between, myself and probation officer Trina Sykes - Hoskins. The terms were to meet or complete when I finished After-Care. There is no reason, that Judge / Ex Lawyer Robert Johnson should have even been near this case, unless harm was meant to be caused. Please consider the evidence that has been presented in my be-half. The conflict of Interest has delivered a Wrongful Conviction.

Respectfully,

Leonard R. Powell

Exhibit (1)

(Evidence, in Wang's Conviction)  
AGAINST Judge Judge / Ex Lawyer Robert Johnson)

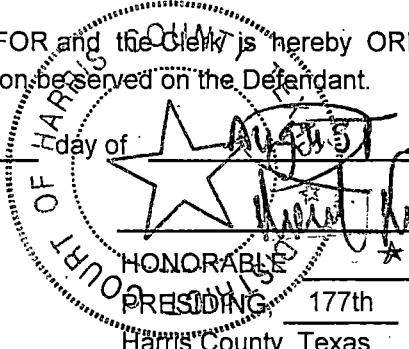
PAGE 3 MOTION TO ADJUDICATE GUILT  
THE STATE OF TEXAS VS. RAAMOND DOWDELL CAUSE NO. 1484047

WHEREFORE, THE STATE PRAYS that Alias Capias issue and upon arrest that a hearing be given the Defendant and that on the final hearing an adjudication of guilt be entered.

\_\_\_\_\_  
ASSISTANT DISTRICT  
ATTORNEY  
HARRIS COUNTY, TEXAS

MOTION GRANTED AS PRAYED FOR and the Clerk is hereby ORDERED to issue Alias Capias for arrest of the Defendant and that a copy of this Motion be served on the Defendant.

SIGNED THIS THE 8 day of August A.D., 2017



ATTEST

Chris Daniel  
District Clerk  
Harris County, Texas

By: \_\_\_\_\_  
(Deputy)

HONORABLE Robert Johnson JUDGE  
PRESIDING, 177th DISTRICT COURT  
Harris County, Texas

ACTION DIRECTED BY THE COURT  
A. FILE MOTION TO REVOKE ☒  
B. NO ACTION DESIRED \_\_\_\_\_  
C. HOLD PENDING \_\_\_\_\_

JUDGE, 177th DISTRICT COURT  
\_\_\_\_\_  
SUPERVISION OFFICER Trina Sykes-Hoskins  
DATE SUBMITTED 8/8/2017

1st AMENDED CONDITIONS OF COMMUNITY SUPERVISION

FOR: Raamond Dowdell

SPN: 01141773

CAUSE: 14840470

I understand that under the laws of this State, the Court shall determine the terms and conditions of Community Supervision, and may alter or modify said conditions during the period of Community Supervision. I further understand that failure to abide by these Conditions of Community Supervision may result in the revocation of Community Supervision or an adjudication of guilt.

I have read or had read to me by the CLO/CSO Officer the conditions the Judge has added or changed, and I have initialed each change indicating that I understand the modifications. I also understand that if I do not accept these changes to my Conditions of Community Supervision, I must make a timely and specific objection and request to appear before the Judge. I understand that if I refuse to accept these amendments, the Judge may issue a warrant for my arrest and I have a right to be represented by counsel. If I am indigent, the Court shall appoint counsel for me. I also understand that I may voluntarily and knowingly accept this modification.

Community Supervision expires the 4th day of November, 2021

Acceptance and Waiver

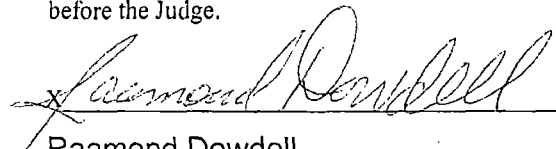


I understand the terms and consequences for failing to comply with these Conditions of Community Supervision and I knowingly and voluntarily agree to this modification of my conditions. I further understand that by signing these conditions I am affirmatively accepting the terms and I waive any right to object or be represented by counsel.

Objection and Request for Immediate Hearing



I object to this modification of my conditions of Community Supervision and request an immediate hearing before the Judge.

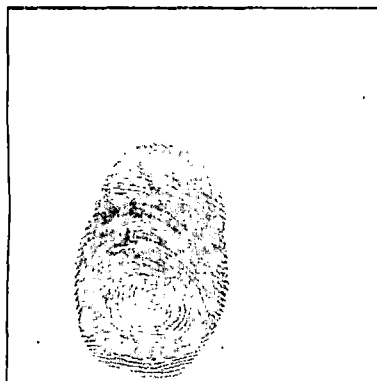
  
Raamond Dowdell

Defendant

September 25, 2017

Date

Signed this 25th day of September, 2017



Defendant's Right Thumbprint

X

X

Robert Johnson

Judge Presiding

X

Tanika Moore

CLO / CSO Officer

Amended to add participation in SAFPF Relapse and change begin dates for fee payment.

\*\*Release to SAFPF Staff ONLY\*\*